

PRIOR APPLICATIONS FILED

Orrick was retained effective February 6, 2006, pursuant to this Court's Order entered May 8, 2006. Orrick has previously filed the following quarterly fee applications:

- a. First Quarterly Fee Application for the time period February 6, 2006 through March 31, 2006 in the amount of \$206,292.25 in fees and \$7,501.32 in expenses, for a total of \$213,793.57.
- b. Second Quarterly Fee Application for the time period April 1, 2006 through June 30, 2006 in the amount of \$456,045.25 in fees and \$14,568.92 in expenses, for a total of \$470,614.17.
- c. Third Quarterly Fee Application for the time period July 1, 2006 through September 30, 2006 in the amount of \$558,019.75 in fees and \$25,651.67 in expense for a total of \$583,671.42

COMPENSATION SUMMARY
OCTOBER 1, 2006 THROUGH DECEMBER 31, 2006

<u>Name of Professional Person</u>	<u>Position of Applicant, No. of Years in Position, Prior Relevant Experience, Yr. Obtained License to Practice, Area of Expertise</u>	<u>Hourly Billing Rate</u>	<u>Total Billed Hours</u>	<u>Total Fees</u>
John Ansbro	Partner, 2 years in position; 12 years relevant experience; 1995, Litigation	\$570	23.00	\$13,110.00
William D. Berry	Partner, 7 years in position; 34 years relevant experience; 1972, Employee Benefits	\$620	.50	\$310.00
Roger Frankel	Partner, 23 years in position; 35 years relevant experience; 1971, Bankruptcy	\$725	201.20	\$145,145.00 ¹
Jonathan P. Guy	Partner, 6 years in position; 13 years relevant experience; 1993, Bankruptcy	\$605	98.70	\$59,713.50
Raymond G. Mullady, Jr.	Partner, 13 years in position; 23 years relevant experience; 1983, Litigation	\$660	167.50	\$109,725.00 ²
Garret G. Rasmussen	Partner, 24 years in position; 32 years relevant experience; 1974, Litigation.	\$645	79.20	\$51,084.00
Richard H. Wyron	Partner, 17 years in position; 27 years relevant experience; 1979, Bankruptcy	\$645	105.70	\$68,176.50

¹ This amount reflects a reduction of \$725.00 (November 2006) for the 50% discount of hourly rates for non-working travel.

² This amount reflects a reduction of \$825.00 (November 2006) and \$3,465.00 (December 2006) for the 50% discount of hourly rates for 13 hours of non-working travel billed to the Litigation Matter.

Monique D. Almy	Of Counsel, 10 years in position; 19 years relevant experience; 1987, Bankruptcy	\$525	6.80	\$3,570.00
Jeffery D. Hermann	Of Counsel, 4 years in position; 30 years relevant experience; 1977, Bankruptcy	\$570	5.50	\$3,135.00
Mary A. Wallace	Of Counsel, 5 years in position; 17 years relevant experience; 1989, Corporate	\$500	.20	\$100.00
Matthew W. Cheney	Associate, 8 years in position; 8 years relevant experience; 1997, Bankruptcy	\$490	52.80	\$25,872.00
Debra L. Felder	Associate, 4 years in position; 4 years relevant experience; 2002, Bankruptcy	\$430	496.50	\$212,957.50 ³
Annie L. Hermele	Associate, 2 years in position; 2 years relevant experience; 2004, Litigation	\$375	58.50	\$21,937.50
Katherine Thomas	Associate, 3 years in position; 3 years relevant experience; 2003, Bankruptcy	\$375	17.40	\$6,525.00
Shannon Dawn Venegas	Associate, 2 years in position; 2 years relevant experience; 2004, Litigation	\$375	196.40	\$73,687.50
Rachael M. Barainca	Legal Assistant	\$140	142.30	\$19,922.00
James Cangialosi	Legal Assistant	\$220	1.50	\$330.00
Alan P. Dubin	Research Specialist	\$195	5.50	\$1,072.50
Debra O. Fullem	Senior Legal Assistant	\$210	89.20	\$18,732.00
Aurora M. Hamilton	Legal Assistant	\$190	4.00	\$760.00
Edward Moran Lafayette	Legal Assistant	\$145	30.00	\$4,350.00
Risa Mulligan	Research Coordinator	\$150	.20	\$30.00
Total			1,782.70	\$841,070.00
Blended Rate: \$471.80				

³ This amount reflects a reduction of \$537.50 (October 2006) for the 50% discount of hourly rates for non-working travel.

COMPENSATION BY PROJECT CATEGORY
OCTOBER 1, 2006 THROUGH DECEMBER 31, 2006

<u>Project Category</u>	<u>Total Hours</u>	<u>Total Fees</u>
Case Administration	60.70	\$11,305.50
Compensation of Professionals-Orrick	4.50	\$1,262.50
Compensation of Professionals-Other	54.20	\$12,199.50
Litigation	1,512.60	\$746,197.00
Insurance	22.60	\$14,673.00
Plan and Disclosure Statement	56.40	\$39,708.00
Retention of Professionals-Orrick	13.50	\$5,346.50
Travel Time (Non-Working)	4.50	\$1,262.50
TOTAL	1,782.70	\$841,070.00

EXPENSE SUMMARY
OCTOBER 1, 2006 THROUGH DECEMBER 31, 2006

<u>Expense Category</u>	<u>Total</u>
Court filing fee	\$45.00
Court Call – conferencing services	\$3,570.00
Court Messenger Research	\$85.00
Duplicating	\$24,128.60 ⁴
Experts: Fees and Expenses	\$44,958.28
Facsimile	\$121.00
Meals	\$1,024.28
Pacer	\$1,266.24
Parking	\$168.00
Postage/Express Delivery	\$5,405.04 ⁵
Secretarial Overtime	\$44.88
Telephone	\$399.68
Travel – Airfare/Train	\$5,919.11
Travel - Taxi	\$191.95
Westlaw and Lexis Research	\$11,051.89
TOTAL	\$98,378.95

Orrick's Client Charges and Disbursements Policy effective January 1, 2006, are as follows:

a. ***Duplicating*** -- It is Orrick's practice to charge all clients of the Firm for duplicating at the in-house rate of 20¢ per page; however, Orrick has reduced the duplicating cost to 15¢ per page in order to comply with the Local Rules of this Court. This charge includes the cost of maintaining the duplicating facilities and the actual cost involved with respect to the duplication.

⁴ The Tenth Monthly fee application for the time period November 1-30, 2006 reflected an incorrect entity for duplicating expenses. The correct amount is \$10,188.75. Despite the incorrect entity for expenses the total expenses set forth in the Tenth Monthly is correct.

⁵ The Tenth Monthly fee application for the time period November 1-30, 2006 reflected an incorrect entity for postage expenses. The correct amount is \$2,020.78. Despite the incorrect entity for expenses the total expenses set forth in the Tenth Monthly is correct.

b. ***Long Distance Telephone and Facsimile Charges*** -- Orrick charges clients for long distance telephone calls but not for local telephone calls. Necessary mobile phone usage is reimbursed to professionals submitting an appropriate bill. Out-going facsimile transmissions are charged at \$1.50 per page, plus any long-distance calling cost, and there is no charge for incoming facsimiles.

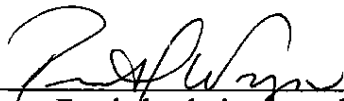
c. ***Messenger and Courier Service*** -- It is Orrick's practice to use Federal Express or similar express mail delivery and third-party messenger services only in exigent circumstances (i.e., when needed to meet a deadline or when a next-day response from the recipient was necessary or beneficial to the case) and only when less costly than other available alternatives.

d. ***Overtime*** -- It is Orrick's practice to allow professionals and paraprofessionals working more than 3 hours of overtime to charge a meal to the appropriate client at a meal charge limited to \$7.50 per professional. It is Orrick's practice to allow professionals and support staff to charge a car service or cab to the appropriate client when working at least 2 hours of overtime. Orrick endeavored not to incur overtime charges unless necessary to benefit the case and in certain exigent circumstances. Orrick utilized secretarial assistance in connection with monitoring and updating case dockets and downloading, circulating and printing of pleadings filed in the case. Thus, certain charges were incurred by secretaries for overtime. (Note: These charges are at rates less than that charged by Orrick paralegals or other professional staff who may have otherwise performed this type of work.)

e. ***Computerized Research*** -- It is Orrick's practice to use computer-assisted legal research when it is efficient to do so. The charge to clients for Lexis and Westlaw are based on retail rates that do not include non-client specific volume discounts offered to Orrick. Use of fee based internet research services other than Lexis and Westlaw is charged at Orrick's cost. There is no separate charge for free internet research.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

Roger Frankel, admitted *pro hac vice*
Richard H. Wyrton, admitted *pro hac vice*
3050 K Street, NW
Washington, DC 20007
(202) 339-8400
Co-Counsel to David T. Austern, Future Claimants'
Representative

Dated: February 21, 2007